

DAVID A. PATERSON
GOVERNOR



STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233-1010

PETER M. IWANOWICZ
ACTING COMMISSIONER

Mel HARTMAN

DEC 27 2010

Mr. Walter Mugdan
Director
Emergency & Remedial Response Division
United States Environmental Protection Agency
Region 2
290 Broadway - 19th Floor, E38
New York, New York 10007-1866

U.S. EPA REGION 1
ERRD-DIRECTOR'S OFFICE
2011 JAN -4 PM 12:47

Dear Mr. Mugdan:

Under authority delegated by the Governor of New York in 1995 to the Commissioner of the Department of Environmental Conservation (DEC), I am requesting that the area encompassing contaminated groundwater migrating from the New Cassel Industrial Area Sites, Off-site Groundwater South of the New Cassel Industrial Area, Operable Unit No. 3, the General Instruments Corp., Site No. 130020, Operable Unit 2, and the 70-140 Cantiague Rock Rd./Former Sylvania, Site No. V00089, Operable Unit 2, be nominated to the National Priorities List.

The Pre-Remedial Section, Special Projects Branch of the Emergency and Remedial Response Division of the EPA in Region 2 has initiated an investigation and hazard ranking system scoring effort for the area encompassing contaminated groundwater migrating from the New Cassel Industrial Area Sites, Off-site Groundwater South of the New Cassel Industrial Area, Operable Unit No. 3, the General Instruments Corp., Operable Unit 2, and the 70-140 Cantiague Rock Rd./Former Sylvania, Operable Unit 2.

The New Cassel Industrial Area Sites Operable Unit No. 3 area of concern, located in the Town of North Hempstead, Nassau County, New York, encompasses the area bordering the New Cassel Industrial Area (NCIA) south of Old Country Road and Grand Boulevard and includes the Bowling Green Estates Water District well field. Disposal activities at 14 inactive hazardous waste disposal sites within the NCIA have resulted in the disposal of hazardous wastes which have migrated from the sites to surrounding areas and contaminated the sole-source groundwater aquifer located to the south of the NCIA. This groundwater contamination has adversely impacted the Bowling Green Estates Water District well field.

The New Cassel Industrial Area Operable Unit No. 3 consists of off-site groundwater contamination, primarily located to the south of the New Cassel Industrial Area (NCIA), which is migrating from the NCIA. The other operable units are associated with the individual sites located within the NCIA:

- Operable Unit No. 1 which identifies and remediates source areas of contamination at each site in the NCIA.
- Operable Unit No. 2 which identifies and remediates groundwater contamination at and beneath each site in the NCIA.

The NCIA is located in the Town of North Hempstead, Nassau County. It encompasses approximately 170 acres of land. The NCIA is a heavily developed industrial and commercial area. Development in this area dates back to the 1950's.

A report entitled "Remedial Investigation for Off-site Groundwater in the New Cassel Industrial Area, September 2000" was prepared which describes the field activities and findings of the remedial investigation. This report was the basis for the State Superfund Record of Decision, issued by DEC in October 2003, which presented the selected remedy for Operable Unit No. 3 of the New Cassel Industrial Area sites. The selected remedy was in-well vapor stripping, and if the selected remedy proved to be impractical, a contingent remedy would be installed. A Pre-Design Investigation Report, dated June 2009, recommended implementing the contingent remedy, ex-situ extraction and treatment, due to both the technological limitations and logistical hurdles associated with the in-well stripping technology. The current estimate to implement the ex-situ extraction and treatment remedial program impacts DEC's ability to realize the cleanup.

The remedial program at Operable Unit 2 of both the General Instruments Corp. inactive hazardous waste disposal site and the 70-140 Cantiague Rock Rd./Former Sylvania voluntary cleanup site is investigating the off-site plume that is migrating from these two sites south of West John Street. These two sites are adjacent to each other on Cantiague Rock Road and the contaminated groundwater plume from them commingles as it moves downgradient beyond West John Street. The off-site plume that extends to the south has not been fully delineated. It appears that the off-site plume that is south of West John Street and migrating from the General Instruments Corp. inactive hazardous waste disposal site and the 70-140 Cantiague Rock Rd./Former Sylvania voluntary cleanup site has adversely affected the Hicksville Water District Plant 5 well field.

The General Instruments Corp. site is located at 600 West John Street northeast of the intersection of West John Street and Cantiague Rock Road in the Town of Oyster Bay, Nassau County, New York. The 11.5-acre site is located in a light industrial section of Hicksville, and was developed in 1960 for General Transistor which was subsequently acquired by General Instruments Corporation. The adjacent 70-140 Cantiague Rock Rd./Former Sylvania site is a 10.5-acre area divided into three separate but contiguous properties located at 70, 100, and 140 Cantiague Rock Road in the Town of Oyster Bay, Nassau County, New York. The site is surrounded by industrial and commercial areas to the north, south, and west, whereas a recreational area is located immediately east of the site (Cantiague Park).

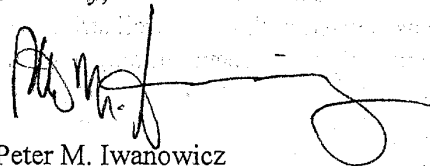
An interim report and supplemental work plan are the next deliverable under the General Instruments Corp. investigation. The remedial investigation is not expected to be complete until Spring 2011. The DEC approved a work plan, in March 2010, to determine whether the on-site SVE system has reached cleanup goals and can be shut down. This decision is also not expected to be complete until Spring 2011.

The United States Army Corps of Engineers is performing a more detailed analysis to determine which areas of the 70-140 Cantiague Rock Rd./Former Sylvania site, if any, should be designated for a FUSRAP cleanup. Work under the Voluntary Cleanup Agreement has slowed as the USACE continues its investigation.

The magnitude of the remedial programs encompassing the area of contaminated groundwater migrating from the New Cassel Industrial Area Sites, Off-site Groundwater South of the New Cassel Industrial Area, Operable Unit No. 3, the General Instruments Corp., Operable Unit 2, and the 70-140 Cantiague Rock Rd./Former Sylvania, Operable Unit 2, greatly exceeds the resources available at the DEC. Consequently, the DEC requests that the USEPA nominate this area of concern for the National Priorities List.

If you or your staff would like to discuss this request further, please contact Dale A. Desnoyers at (518) 402-9706.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter M. Iwanowicz', with a long horizontal flourish extending to the right.

Peter M. Iwanowicz

c: Dale A. Desnoyers